

CITY OF IDAHO FALLS
BOARD OF ADJUSTMENT
P.O. BOX 50220
IDAHO FALLS ID 83405-0220
(208) 612-8276

March 6, 2015
12:15 p.m.

City Annex Building, Council Chambers
680 Park Avenue

Members Present: Stephanie Austad; Bryan Bjorgaard; Alex Creek; Steve Davies; Gene Hicks; and Richard Lee.

Members Absent: James Wyatt.

Staff Present: Brent McLane, Current Planner.

Also Present: James Billman, Applicant.

Changes to Agenda: None.

Call to Order: The meeting was called to order at 12:15 p.m. by Chair Lee.

Minutes: **October 9, 2014.** Moved by Davies to approve the minutes of October 9, 2014, with the correction that Bryan Bjorgaard was in attendance. Seconded by Creek and passed.

Aye: Stephanie Austad; Bryan Bjorgaard; Alex Creek; Steve Davies; and Richard Lee.

Nay:

Abstain: Gene Hicks.

Public Hearing(s): **Variance**
TRS 4 & 6, Block 4, Capitol Hill
840 Northgate Mile (Bliss Night Club)

McLane, Current Planner, described the request as outlined in the staff report, a part of the record, and said the request is for a one-hundred percent reduction to the required parking for the property located at 840 Northgate Mile (the Bliss building). He said the building was constructed when there were no parking requirements and the use has been a tavern/night club since the 1920's. McLane said today's ordinance requires parking for the zone, but the use is grandfathered. He said the lot is triangular in shape and fronted on all sides by public streets with no room for on-site parking. The on-street parking can be counted toward the required parking, but is presently underutilized. It was determined the parking required for the use would be 60 spaces. McLane said staff believes the proposed change of use is beneficial to the neighborhood and supports the request.

McLane said BMW of Idaho Falls sent a letter objecting to the request, as they have had problems with unknown vehicles parking in their lot and leaving debris and garbage. McLane believes changing the location to a daytime use would reduce problems for the dealership.

McLane said properties in the downtown area are faced with the same dilemma, however, the zoning administrator can waive parking requirements in the Central Commercial zone. This property is zoned HC-1 and although allowed uses are similar to the downtown, parking requirements cannot be waived. He said rezoning the property to CC-1 to allow waiving the required parking would create a spot zone which is highly discouraged by the City. He believes the best option is to handle it through a variance. He told Austad adjacent businesses include the BMW dealership, the stockyards, Enterprise car rental, an auto mechanic shop, and Fastsigns. McLane said any use in the HC-1 zone would be allowed which is open to most commercial uses, including a convenience store. Davies asked if there is another use that would have night hours or more patron demand than the current use. McLane said a restaurant.

Creek noted the road is a state highway and some of the commercial uses will have the same issue. McLane said some sites will, due to the diagonal nature of the roadway, but the number is limited. Lee wants staff to have more control over the allowed uses. McLane said the Board can make some stipulations addressing specific concerns.

Chair Lee opened the hearing to public comment.

James Billman, 5676 E. Sagewood, Idaho Falls, ID. Mr. Billman said the property is under contract. The new owners want to have a shoe and clothing store. Parking requirement for the new use would be substantially less. He said parking generated by the present use have been extreme in the evening hours. He said a restaurant would require less parking and reduce related issues. The new owners would make minor cosmetic improvements to the building. The size of the building is more than they require so one-half will be used for storage. Granting the variance will allow a use that is better for the community.

Chair Lee closed the hearing to public comment.

Austad said the property has constraints and is in favor of the variance. Creek concurs. The use seems reasonable and an improvement to the area. **Moved by Creek to approve the request to reduce the required parking because it meets the criteria for approval of a variance due to hardship(s) imposed by the site/location, the request is not economic in nature, and is not detrimental to the neighborhood. Motion seconded by (inaudible) and passed.**

Aye: Stephanie Austad; Bryan Bjorgaard; Alex Creek; Steve Davies; Chair Lee; and Gene Hicks.

Nay:

Abstain:

Business:

**Reasoned Statement of Relevant Criteria and Standards
TRS 4 & 6, Block 4, Capitol Hill
840 Northgate Mile (Bliss Night Club)**

Moved by Austad to approve the Reasoned Statement of Relevant Criteria and Standards as presented. Creek seconded the motion. Friendly amendment by Davis to correct the typographical errors in 4-b. Motion passed.

Aye: Stephanie Austad; Bryan Bjorgaard; Alex Creek; Steve Davies; Chair Lee; and Gene Hicks.

Nay:

Abstain:

Adjourn:

Meeting adjourned at 12:45 p.m.

Respectfully Submitted,

Debra A. Petty